

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

SCARLETT CIZEK,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 5:19-CV-00164-RWS-CMC

**ORDER**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for disposition of such action, has been presented for consideration (Docket No. 12). No objections to the Report and Recommendation have been filed. Because no objections to the Magistrate Judge's Report have been filed, neither party is entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, they are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C § 636(b)(1)(C); *Douglass v. United Services Automobile Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

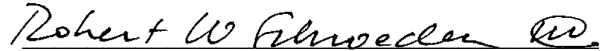
Nonetheless, the Court has reviewed the parties' briefing and the Magistrate Judge's Report and agrees with the Report. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) ("[T]he statute permits the district court to give to the magistrate's proposed findings of fact and recommendations 'such weight as [their] merit commands and the sound discretion of the judge warrants.' ") (quoting

*Mathews v. Weber*, 23 U.S. 261, 275 (1976)). Accordingly, the Court hereby **ADOPTS** the Report of the Magistrate Judge as the findings and conclusions of this Court. It is therefore

**ORDERED** that Plaintiff Scarlett Cizek's above-entitled Social Security action is **REVERSED AND REMANDED**. It is further

**ORDERED** that all motions not previously ruled on are **DENIED-AS-MOOT**, and the referral order is **VACATED**.

**SIGNED this 10th day of February, 2021.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE